

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
KEVIN TAYLOR,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 05-10221-DPW
)	
DAVID L. WINN, Warden,)	
)	
Respondent.)	
_____)	

MOTION OF THE DEFENDANT TO ENLARGE THE TIME
TO ANSWER OR OTHERWISE RESPOND

The respondent, David L. Winn, Warden for the Federal Medical Center Devens, Ayer, Massachusetts, by his attorney, Michael J. Sullivan, U.S. Attorney for the District of Massachusetts, Christopher R. Donato, Assistant U.S. Attorney, of counsel, moves this Court, pursuant to Fed.R.Civ.P. 6(b), for an enlargement of time to file an answer or otherwise respond in this matter until March 14, 2004.

As reasons therefore, the respondent states that the petition was forwarded to the United States Attorney's Office by the Federal Bureau of Prisons ("BOP") on February 28, 2005. According to the records of the BOP, the BOP received an official copy from the Court on that same day, February 28, 2005. Along with the complaint, the BOP received an Order from this Court directing the respondent to file a dispositive motion or other responsive pleading "within 20 days of receipt of this Order, but

no later than 12:00 NOON ON MARCH 7, 2005."

The BOP is in the process of putting together the petitioner's administrative record on the two separate issues raised in the petition: the calculation of the petitioner's Good Conduct Credit and the inmate's refusal to participate in the Inmate Financial Responsibility Program. The administrative record involves several different prison facilities. Because of the late notice and the difficulty of compiling the administrative record from several different prison facilities, the respondent respectfully requests that the time for filing an answer or other responsive pleading be enlarged to March 14, 2005.

Wherefore the respondent respectfully requests that this Court grant an enlargement of time to file an answer or otherwise respond in this matter until March 14, 2005.

Respectfully submitted,

UNITED STATES OF AMERICA
By its attorney,

MICHAEL J. SULLIVAN
United States Attorney

Dated March 2, 2005

By: /S/ Christopher R. Donato
Christopher R. Donato
Assistant U.S. Attorney
U.S. Attorney's Office
John Joseph Moakley Courthouse
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1 Courthouse Way
Boston, MA 02210
(617) 748-3100

CERTIFICATION PURSUANT TO L.R. 7.1 (A)(2)

Because the *pro se* plaintiff is a prisoner currently incarcerated in a federal correctional facility, counsel for the respondent respectfully requests leave to file this Motion without a 7.1 conference.

Dated: March 2, 2005

/S/ Christopher R. Donato
Christopher R. Donato
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I certify that on this day a true copy of the above document was served by first class mail, postage prepaid, upon the *pro se* plaintiff:

Kevin Taylor, Inmate
Federal Registry No. 03421-068
Federal Medical Center Devens
P.O. Box 879
Ayer, MA 01432

Dated: March 2, 2005

/S/ Christopher R. Donato
Christopher R. Donato
Assistant U.S. Attorney